

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

BRIAN HILL, JASON MATHIS and
CRUZ VASQUEZ, Each Individually and
on Behalf of All Others Similarly Situated,

Plaintiffs,

v.

FRITO-LAY, INC.

Defendant.

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CIVIL ACTION NO.
4:22-CV-00518
COLLECTIVE ACTION

JOINT NOTICE OF STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiffs **BRIAN HILL, JASON MATHIS** and **CRUZ VASQUEZ**, and Defendant **FRITO-LAY, INC.**, (Plaintiffs and Defendant together, the “Parties” and each individually a “party”), submit this Joint Notice of Settlement in this matter and respectfully show the Court the following:

1. The Parties advise the Court that they have resolved all outstanding claims and issues in their entirety.

2. This Court issued a Memorandum Opinion and Order (Doc. No. 16), dated April 3, 2023 granting in part the Defendant’s Motion to Transfer Venue or, in the Alternative to Stay. The collective action claim for FLSA violations under the Plaintiffs’ “Second Claim for Relief” was transferred to the Southern District of New York to the related case, *Stevens v. PepsiCo Inc., et al.*, Case No. 7:22-cv-802.

3. This Court also issued an Order Granting Unopposed Motion to Extend Stay (Doc. No. 18), dated May 3, 2023, staying the case for a period of approximately one hundred eight (180) days, until October 10, 2023.

4. The Parties state that named Plaintiffs Brian Hill, Jason Mathis, and Cruz Vasquez did not opt out of the National Class in the *Stevens* case and have cashed the settlement

checks issued in the *Stevens* Case - Southern District of New York, *Stevens v. PepsiCo Inc., et al.*, Case No. 7:22-cv-802 (“*Stevens*”).

5. The Parties desire that this case be dismissed, including all claims and causes of action brought by Plaintiffs against Defendant Frito-Lay, Inc., and respectfully request the Court enter their proposed Agreed Order of Dismissal which is being filed with the Court contemporaneously herewith.

6. The Parties also hereby agree and stipulate that each party is responsible for its own costs and attorneys’ fees incurred as a result of this action, and that all rights of appeal are hereby waived.

Respectfully submitted,

By: /s/ Josh Sanford

Josh Sanford

Texas State Bar No. 24077858

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**ATTORNEYS FOR DEFENDANT,
FRITO-LAY, INC.**

CERTIFICATE OF SERVICE

I certify that on June 12, 2024, a true and correct copy of the foregoing document was electronically filed with the Clerk of the United States District Court, Eastern District of Texas, using its electronic case filing system, CM/ECF, which will serve notification on all counsel of record in this case:

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By: /s/ *Alison R. Ashmore*

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